

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bill J. Pope
Serial Number: 10/727,908
Filed: 11/30/2004
Art Unit: 3774
Examiner: Blanco, Javier G
For: Prosthetic Knee Joint Having at least one
Diamond Articulation Surface
Attorney Docket: 3772.DIMC.CN

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
USPTO via EFS Web:

onJanuary 6, 2009.....

/Brett Peterson/

RESPONSE TO REQUIREMENT FOR INFORMATION

Dear Sir:

In response to the Requirement for Information dated November 13, 2008, Applicant
submits the enclosed amendments and remarks.

REMARKS

In response to the requirement for information of November 13, 2008, Applicant believes that the information disclosure statement filed June 13, 2008 and considered November 13, 2008, containing two forms 1449 with patents and applications (mostly showing Pope et al. as applicant) is a complete list of the related patents and co-pending applications which are relevant to the present application.

Applicant believes that the above statement fulfills the obligation set forth in 37 CFR 1.105 and MPEP 704.11(a)(G); particularly as subsection (G) requires the only identification of related applications and not the examination of the claims contained therein.

Applicant recognizes that claim scope overlap exists where an inventor or company works prolifically in a particular field. Applicant, however, does not believe that there are double patenting issues raised by the claims of the related applications; the claims containing differing points of novelty. Applicant, however, recognizes that it is appointed to the Patent Office and the Examiner to determine whether issues of double patenting exist, and thus submitted the forms 1449 identifying the related applications so that the Examiner could verify that no double patenting issues exist.

As to the availability of the source documents for use for electronic comparison, Counsel is not in possession of most of these documents as they were prepared by prior counsel. Additionally, Applicant is unaware of how such a comparison should be made for proper examination of the claims with respect to double patenting issues, and notes that the claims of each of the patents and published applications are available on the PAIR site in text form.

The Commissioner is hereby authorized during the entire pendency of this application to credit any overpayment and debit any amount owing, including fees for extensions of time, to Deposit Account No. 50-2720.

Sincerely,

BATEMAN IP LAW GROUP

/Brett Peterson/

Brett Peterson
Reg. No. 58,315
8 East Broadway, Suite 550
P.O. Box 1319
Salt Lake City, UT 84110

Tel. (801) 533-0320
Fax. (801) 533-0323

E-mail: mail@utah-ip.com